



## INFORMATION FOR THE MEDICAL COMMUNITY AND THE PUBLIC FROM THE **D.C. BOARD OF MEDICINE**

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October 2001

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### ***WHAT'S NEW AT THE D.C. BOARD OF MEDICINE?***

The D.C. Board of Medicine (the "Board") is a part of the Government of the District of Columbia. The Board is authorized for eleven members, who are appointed by the Mayor for three year terms and who serve without compensation. The Board's mission is to protect public health and safety by regulating the practice of medicine in the District of Columbia as provided by *The Health Occupations Revision Act (HORA)*, the licensing law for health professionals in the District for Columbia. *HORA* provides that the D.C. Board of Medicine shall consist of eleven members, including seven physician members, the Director of the Department of Health and three non-physician, consumer members.

The current members of the Board are:

**William E. Matory, M.D.**, Physician Member and Chairperson;

**Vernon C. Smith, M.D.**, Physician Member and Vice-Chairperson;

**Ivan C.A. Walks, M.D., M.P.H.**, Statutory Member;

**Mrs. Savanna M. Clark**, Consumer Member;

**Estelle Cooke-Sampson, M.D.**, Physician Member;

**Frederick C. Finelli, M.D.**, Physician Member;

**Morton J. Roberts, M.D.**, Physician Member;

**Peter G. Shields, M.D.**, Physician Members;

**Ronald Simmons, Ph.D.**, Consumer Member; and

**Andrea D. Sullivan, N.D., Ph.D.**, Consumer Member.

There is currently one vacancy on the Board for a physician member. The Department of Health and the Office of the Mayor are working to fill that vacancy.

The medical regulatory activities of the Board fall into two basic categories: the application process and the disciplinary process. The Board also oversees the regulation of acupuncture and physician assistants in the District of Columbia through its advisory committees.

Through the medical application process, the Board seeks to ensure that applicants for D.C. medical licenses have the prerequisite credentials in terms of education, examination and experience to practice safely before being issued a license to practice. The disciplinary process is the process by which the Board may discipline licensees for violating *HORA* through remediation and a range of sanctions including reprimands, fines, suspensions and revocations.

#### *The Application Process*

Newspaper reports last year and a consultant's study that was drafted in the spring of this year lamented the inordinately long processing times for medical licenses. The consultant's study specified that it takes 212 days—on average—to get a D.C. medical license, based on a sample of thirty-nine applications. One of the new developments at the Board is that long application times have been and continue to be significantly reduced.

A staff study of the application times experienced by the fifty most recent licensees in mid October 2001 revealed some rather dramatic improvements over the previously observed 212-day average. The 212-day average was a measure of total processing time, from initial application submission to license issuance. Historically, most of the application time is consumed while applicants complete the documentation of their credentials by having various individuals and institutions submit character reference forms, examination scores, education transcripts and employment history. The raw data for the fifty licensees examined in October 2001 is as shown below.

Total time from application notarization to license print: **140.0 days.**

Time from receipt of last document to license print: **36.8 days.**

The second measure above is the time it takes staff and the board to review the application and have a license printed. The 36.8 days is inflated, because the Board had a scheduled recess in August, and applications with adverse information (most of the sample) had to wait an additional month for approval. However, that distortion notwithstanding, it is informative to look at the trend within the numbers:

	<u>Total Time</u>	<u>Time From Receipt of Last Document</u>
All Applications	140.0 days	36.8 days
Applications notarized Since May 2001	76.1 days	34.2 days
Applications notarized Prior to May 2001	244.3 days	41.1 days

Looking at the five most recent applications, the *total* processing time averaged 34 days. So the message that the Board would like to share is that application times have improved dramatically and are continuing to improve.

#### *The Disciplinary Process*

In June 2000, the Board had a backlog of complaints that was about one year. The Board has addressed approximately half of that

backlog, and the remainder of the backlog should be addressed within the next ninety days. In addition to reducing the complaint backlog, the Board has changed procedures to accelerate the processing of complaints.

#### *Challenges*

Despite the dramatic improvements in application processing times and the reduction in the backlog of complaints, there are major challenges facing the Board. The first challenge is to sustain the improvements that have been achieved and to continue to improve. More resources are necessary to ensure that we do not lapse into the situation that we had earlier this year.

Some of the improvements that were achieved are due to filling vacant positions on the Board such that the Board has a realistic chance to get a quorum to conduct business. As previously mentioned, there is only one vacant position on the Board now, and timely appointments and confirmations are necessary for the Board to function smoothly.

Secondly, the Board needs staff. At the present time, James R. Granger, Jr. serves as Executive Director for the Board. Ms. Antoinette Stokes is a Health Licensing Specialist, who works primarily for the Board. However, both of these people have duties other than the Board of Medicine. With two less-than-full-time staff assigned, the D.C. Board of Medicine probably has fewer resources than any other medical board in the nation. The Department of Health has made summer interns and temporary personnel available, as possible, and these people have been a great help in the improvements over the past few months. Moreover, the Department of Health has indicated in its re-engineering study that it plans to increase the staff support to four people.

The re-engineering study mentioned above is another challenge. The study includes recommendations for many changes in the way that the Board operates, and the Board has met with the Department of Health officials and the Medical Society of the District of Columbia to share

perspectives on the shape of future operations. Whatever model emerges, absorption of the changes will be a major challenge for the Board and the staff.

Another challenge facing the Board is bringing disciplinary reporting up to date. During 2000 and the first half of 2001, there were few, if any, reports made to the National Practitioner Data Bank (NPDB), the Healthcare Integrity and Practitioner Data Bank (HIPDB), the Federation of State Medical Boards (FSMB), or the American Medical Association (AMA), organizations to which the Board is legally required to report disciplinary actions or has traditionally reported. The research and reporting is another major challenge facing the Board's staff.

In summary, the Board of Medicine has made significant progress in the last few months. Significant challenges remain.

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### ***DELINQUENT CHILD SUPPORT PAYMENTS CAN AFFECT YOUR HEALTHCARE PROFESSIONAL LICENSE***

The Child Support and Welfare Reform Compliance Act of 2000 became effective on April 3, 2001 as D.C. Law 13-269. That law includes the following provision at § 46-225.01(b):

“Notwithstanding any other law or regulation, no professional or business license shall be renewed or issued in the District to an obligor who is receiving income and who owes overdue child support in an amount equal to at least 60 days of support payments. A professional or business license that has been issued to an obligor who is receiving income and who owes overdue child support shall be revoked. As used in this subsection, the term “professional or business license” includes any approval, certificate, registration, permit statutory exemption, or any other form of permission to practice a profession or to

operate a business, as granted by a commission or a professional licensing body of the government of the District of Columbia.”

The staff of the Office of Professional Licensing has been working with the Office of the Corporation Counsel, Child Support Enforcement Division to develop procedures for implementation. It is expected that enforcement procedures will be completed by the end of this year.

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### ***BOARD ORDERS***

A summary of each of the Board Orders from June-October 2001 is as shown below. A list of orders for the year 2000 and the first half of 2001 will be published in a subsequent edition.

**Joel A. Guiterman, M.D. (6/27/01):** Fined, practice restrictions and reporting requirements by consent order for violating an order of the Board. Licensee's license was suspended with the suspension stayed, pending compliance with the terms of the consent order.

**Oparaugo Udebiuwa, M.D. (7/25/01):** Fined, reprimanded and placed on three years probation for failing to conform to standards of acceptable conduct and prevailing practice within the medical profession and demonstrating a willful and careless disregard for the health, welfare and safety of a patient. The licensee is currently appealing the Board's order in the D.C. Court of Appeals.

**Mohammed Khojandi, M.D. (8/1/01):** Probation terminated. Licensee satisfied the terms of his probation.

**Lawrence R. Ragard, M.D. (8/1/01):** License revoked. Licensee was disciplined by a court for conduct that would be grounds for disciplinary action; was convicted of a crime involving moral turpitude that bears directly on his fitness to practice medicine; and fraudulently and deceptively obtained or attempted to obtain a license.

**Abraham L. Mohammed, M.D. aka Frederick D. Lewis, M.D. (9/26/01):** License suspended and licensee fined for failure to maintain an appropriate standard of medical care and demonstrating careless disregard for the health, safety and welfare of patients. The licensee is suspended until such time as the licensee's fitness to resume practice is established and the respondent takes the SPEX examination to determine the status of his current medical knowledge and completes CME courses on any areas demonstrated as deficient by the SPEX examination.

**William Brown, Jr., M.D. (10/17/01):** The licensee was reprimanded on July 15, 1999 by consent order, based on a conviction in the D.C. Superior Court for Obstruction of Justice. The D.C. Court of Appeals reversed the conviction for Obstruction of Justice, and the charges were subsequently dismissed. As a result of the dismissal, the D.C. Board of Medicine vacated the reprimand that was imposed on July 15, 1999.

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## HOW TO FILE A COMPLAINT

If you would like to file a complaint against a physician, physician assistant or acupuncturist in the District of Columbia, simply send a letter to the D.C. Board of Medicine that describes your complaint with any supporting documents that you may have. Your letter should describe succinctly what your issue is with the practitioner. Complaints must be in writing, signed by the complainant and identify the physician about whom the complaint is being made.

Your letter should be addressed to:

D.C. Board of Medicine  
Room 2224  
825 N. Capitol Street, NE  
Washington, D.C. 20002.

The Board will determine if there are apparent violations of the licensing law that warrant

disciplinary action. If it is determined that the licensee violated the licensing law, the licensee may be disciplined by the Board. Meritorious complaints do not result in awards to complainants. However, those complaints do serve to ensure that licensees are practicing according to law and thereby protect public health, safety and welfare.

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## IF YOU WANT TO:

*Apply for licensure as a physician, physician assistant or acupuncturist:*

Call our contractor, Assessment Systems, Inc. (ASI) at 1-888-204-6193.

*Get a verification of licensure (sometimes called a "letter of good standing") sent to another jurisdiction or institution for a currently licensed or formerly licensed physician, physician assistant or acupuncturist:*

If the requesting jurisdiction or institution provided you with a form, you send that form with a check, payable to "D.C. Treasurer," in the amount of fifty dollars for physicians and twenty dollars for other professions to:

D.C. Board of Medicine  
License Verifications  
Room 2224  
825 N. Capitol Street, NE  
Washington, D.C. 20002.

If the requesting jurisdiction or institution did not provide you with a form, you send a written request with your name and address and the name and address of the requesting jurisdiction or institution to the above address with the aforementioned fees.

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**Is there a practice issue that you would like to see addressed in a future newsletter? If so, mail your issue to the D.C. Board of Medicine, Room 2224, 825 N. Capitol Street, NE, Washington, D.C. 20002. You may also fax your issue to (202) 442-9431, attention Jim Granger, Executive Director.**